

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**FILED - GR**April 8, 2020 11:21 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: tlb SCANNED BY: JW 4-9-20**1:20-cv-308**Janet T. Neff- U.S. District Judge
Sally J. Berens- Magistrate JudgeJason L. Sanders #305405

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

v. WARDEN MATT MACAULEY, MIKE WALCZAK
UNKNOWN HARRISON, UNKNOWN KAMMER
UNKNOWN SROLLOSKI

(Enter above the full name of the defendant or defendants in this action.)

COMPLAINT**I. Previous Lawsuits**

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$400.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☒ No ☐
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

Western District Court in Marquette, BARAGA, OAKS, ~~THURMAN~~ ^{Lansing}

2. Is the action still pending? Yes ☒ No ☐

a. If your answer was no, state precisely how the action was resolved: The ^{Lansing} ~~THURMAN~~ case WAS
settled, BARAGA WAS charged for filing an affidavit that WAS
sent to the court and I WAS charged w/out process. Lost ~~other~~ ^{one}

3. Did you appeal the decision? Yes ☐ No ☒

4. Is the appeal still pending? Yes ☐ No ☒

a. If not pending, what was the decision on appeal? Other 2 OAKS + MARQUET
AM paying both of them

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☒

If so, explain: _____

II. Place of Present Confinement Jonah Bellamy Creek Correctional Facility

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

B.1

I filed an Affidavit of complaint to the court, I didn't know that they would charge me the 350.00, but they did and I never ~~quest~~ filed a civil complaint. That was in Baraga, MI

2. My lawsuit in Marquette was dismissed because I filed my complaint before the grievance procedure was completed.

3. My civil complaint in Lansing, MI was completed with a settlement conference.

4. My complaint at OAKS Correctional Facility was dismissed, I think it was failure to exhaust, or state a claim, I'm not sure

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JASON SANDERS

Plaintiff,

Verified Complaint

V.

MATT MACAULEY et AL,

Defendants

NO. -CV-

Hon.

MAG.

Complaint For Punitive, Compensatory
Injunctive and Declaratory Relief

I. Jurisdiction AND Venue

This is A civil Action Authorized by 42 U.S.C. section 1983 to redress the deprivation under color of the State law of rights secured by the Constitution of the United States. The Court has Jurisdiction under 28 U.S.C. section 1331 and 1343 (A), (3), and 42. U.S.C. § 1985 (3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. section 2201 and 2202.

Plaintiffs claims for Injunctive relief are Authorized by 28 U.S.C. section 2283 and 2284 and rule 65 of the Federal Rule of Civil Procedure.

II

AFFIDAVIT OF Formal Complaint

Pursuant to 28 U.S.C. section 1746,
I swear under penalty of perjury that
the following is true, Factual And Complete
to the best of my knowledge, information
belief and ability At this time, putting
this forth in good faith being competent
and housed in the Department of Corrections,
for which also acts as proof of Service.

1. I Am filing this verified Formal Complaint
(to be entered into the personal files of named
parties herein) in lieu of ~~over~~ participating
in this charade purported to be the grievance
procedure, due to prior indicative patterns
of bias demonstrating the futility in such
efforts of to get a fair, complet and meaningful
investigation to resolve these adverse issues
which conflict with rehabilitative goals,
prooving no administrative remedy is available
nor applicable.

2. I Am providing the original copy of this
directly to the Warden of the facility and
copies to other Agency's to ensure all
Administrations At their highest levels have
the proper and Adequate opportunity to resolve

2.

these Adverse circumstances AS well AS for later retrieval if litigation proves necessary in the event Administrators continue refusing to satisfactorily resolve this issue.

3. Because these state employees and their actions named herein, are clearly in violation of the rules, policies, operating procedures, statutes, laws, their own Employee Handbook Agreement guidelines. It is also necessary to recognise herein that this set a clear example to myself and all others, that not all aforementioned strictures need be adhered to at all times and are in fact undeniably open to individual interpretation as to when, which and to what extent they should or shall abide without fear of any consequences or retribution since supervisors and administrators refuse to discipline their employees.

III

Plaintiff

4. Plaintiff Jason Sanders is and was at all times mentioned herein a prisoner of the State of Michigan, in the custody of the Michigan Department of Corrections. He is currently confined to Ionia Bellamy Creek Correctional Facility in Ionia Michigan.

IV. Defendants

5. WARDEN Macauley is the Warden of Iona Bellamy Creek (IBC) and is being sued in his official and individual capacity. Defendant is relevant to the claims brought forth herein this Complaint.

6. Mike Walczak is the Deputy Warden At (IBC) and is being sued in his official and individual capacity. Defendant is relevant to the claims brought forth in this complaint.

7. Defendant Harrison is the Lieutenant At the time of these incidents At (IBC) and is being sued in his official and individual capacity. Defendant is relevant to the claims brought forth in this complaint.

8. Defendant Kammer is an officer At (IBC) and is being sued in his official and individual capacity. Defendant is relevant to the claims brought in this complaint.

9. Defendant Smolinski is the Classification Director At IBC and is being sued in her official and individual capacity. Defendant is relevant to the claims brought forth herein this complaint.

10. Each defendant At All times mentioned here in acted under color of State law, At All times relevant are being sued in their individual AS well AS official capacity.

11. Each defendant knew or should have known that their actions or failure to act violated MDOC Administrative rule 791.2205⁽¹⁾ A, B, D, E, G, and rule 791.3315 P.A. 140 1979, Employee Handbook pg 33 #27 and #47, Employee Discipline, Rule 791.3310, MCL 423.501, 791.251, MCL 19.142 section D, Policy Directive and Operating Procedure 03.03.130, 03.03.105, 02.03.100 A work rule #27 and #47. United States 1st, 5th, 8th and 14th Amendments Rights of the U.S. Constitution and 42 U.S.C. 1985⁽³⁾

V.

STATEMENT OF FACTS

12. On 11-20-19, Plaintiff completed his Assignment in his Food Service Job and got in line to be searched by officer Buskrde, who was the regular officer that worked in Food Service chow Hall on 2nd shift at time of incident.

13. While being searched, officer ~~WARRICK~~ BusKide told Plaintiff to throw away 3 apples because plaintiff had 6 apples in a bag. Officer BusKide only allows prisoners to take 3 items to their cell from the kitchen.

14. As plaintiff went to the trash and threw away 3 apples, officer Kammer yelled "What do you have in your pants?" Plaintiff replied "I don't have nothing in my pants!"

15. Officer Kammer then said "yes you do, I saw you putting Apples in your pants!" Plaintiff then replied "I didn't put nothing in my pants, and since you keep harrassing me, Ima write a grievance on you!"

16. Officer Kammer had officer BusKide search Plaintiff again, BusKide found nothing and told plaintiff he could leave.

17. As plaintiff was leaving, officer Kammer yelled "You think you got away, but I'll teach you nigger!"

18. Officer Kammers was helping officer Buskrde searched prisoners kitchen workers that night but did not work AS A regular in food service. He only worked 2 Hoes while Plaintiff worked in food service from 10-25-19 to 11-21-19.

19. On the night of 11-20-19, Plaintiff wrote Kites and Attempted to talk to Lt. Harrison about officer Kammers and a grievance on officer Kammers ~~for~~ for Harassment and racial discrimination and filed it on 11-29, this grievance was "LOST" Allegedly in the mail system, so plaintiff refiled the grievance AS he was told to do by the grievance coordinator.

20. Plaintiff went to work the next day, 11-21-19, after punching in the clock to start his shift, he went to his assigned Area (Pots & Pans) At approximately 11:40.

21. Plaintiff's food service detail is from 11:30, am when count clears to 3:00 pm and from 4:30 pm when count clears to 7:00 pm. Plaintiff was not allowed to stay during count time, he has to return to his unit for "count time", where prisoners are being counted.

22. After completing his Assignment, Plaintiff changed out of his work uniform and went to clock (or punch) out, but Plaintiff's card was missing, officer Kammers hid the Plaintiff's card.

23. Both plaintiff and prisoner clerk Perry went to food Service staff Mr. DAULS, DAULS said that he would look into the problem and possibly have another card made for Plaintiff, if we could not locate the punchout card

24. AS plaintiff was getting ready to leave, Prisoner Porter, who is the head seg-cart worker asked Plaintiff if he would help push a food cart to unit-5 on Plaintiff's way to unit-6. Unit 6 is where plaintiff locks.

25. Plaintiff said "yes". Porter then told Plaintiff that the cart he needed Plaintiff to push was for level 4, 5-Block food cart, the first cart in line, and that we have to wait on officer Kammers to unlock the door and let Plaintiff out the back door. Minutes later officer Kammers opened the door for Plaintiff and gave him Authorization to leave ~~unseen~~ without searching him.

26. Plaintiff started pushing the food cart and told officer Kammer "have a nice day", officer Kammer responded "you too". Plaintiff pushed the food cart to unit-5 and went to his cell for count. Plaintiff did not enter unit 5, which is a level-4 unit, another prisoner stood at the gate and took the cart to unit-5. Plaintiff is level 4 and locked in 6-unit. Officer Kammer never asked for a SHAKEDOWN.

27. At approx 16:30, plaintiff returned to work in the kitchen and was looking for his punch card, Kammer had it. Officer Kammer told Plaintiff to go back to his cell, Plaintiff asked "why?" and officer Kammer said "because you are laid in and fired for 'out of place'".

28. At approx 8:00, Plaintiff was called out to be reviewed by Sergeant Fox on a class II misconduct report that was written by officer Kammer.

29. In Kammer's haste to have Plaintiff fired, he made several allegations in the misconduct report and a falsified 363 work evaluation form with forged signature and falsified information, that he gave to Smolinski on 11-21-19

NOTE: The misconduct report cant be seen on the paper, it says "Prisoner Sanders 305405 is scheduled to be on his Kitchen assignment from 11:15 to 1900 hrs. Prisoner Sanders was spotted in the unit at approx 1450 hours by % Labelle. At no time was he given authorization to leave his assignment."

29. Plaintiff told Sgt. Fox that there was several reasons why this misconduct shall be dismissed, one because not only was the report falsified, but it was written in retaliation to plaintiff's threat to grieve officer Kammer's for harassment and racial discrimination.

30. Sgt. Fox told Plaintiff that he would offer Plaintiff 3 days loss of privileges to plead guilty. Plaintiff "NO, I'm not guilty, I'd rather have a hearing with the Lieutenant and since the sergeant has the authority to find prisoners guilty and issue sanctions, then he should have the same authority to dismiss tickets of prisoners that are not guilty

31. Sgt. Fox said "if you feel you are not guilty, gather your evidence and take it up with whatever Lieutenant ~~issues~~ hears your misconduct hearing.

32. On 11-26-19, Plaintiff was called to the Control Center to be heard on the misconduct report written by officer Kammers. Lt. Harrison conducted this hearing.

33. Lt. Harrison read the misconduct report and asked Plaintiff "how do you plea?" Plaintiff pled "not guilty". Harrison continued to conduct the hearing and his own investigation.

34. Lt. Harrison asked Plaintiff "what happened". Plaintiff responded, "this misconduct was written in retaliation because I told officer Kammers that I was writing a grievance on him for harassment and racial discrimination.

35. Plaintiff continued and told Lt. Harrison that the misconduct should have been lowered to a class ③ misconduct and dismissed because:
A. Kammers falsified the misconduct report and retaliated against plaintiff's threat to file a grievance.
B. Officer Kamber alleged that Plaintiff had no authorization to leave his assignment, yet he unlocked the back door to the kitchen and allowed plaintiff to leave without requesting a shake down or punching out for work.

C. officer Kammers alleged that Plaintiff went to (A unit) but failed to name A unit in the body of the misconduct report what (unit) Plaintiff went to, to verify "out of place".

D. officer Kammers misconduct report states that Plaintiff was in the chow hall, on the walk and in Plaintiff's unit (6-Block) at the same time. There is no way that Plaintiff was in 3 places at the same time.

E. officer Kammers did not accuse Plaintiff of not "punching out" from work in the body of the misconduct.

36. Lt. Harrison flipped through the hearing packet which had a photo copy of Plaintiff's "Punch out card" on the last page. After flipping to the last page, Harrison asked Plaintiff why he didn't punch out before he left the chow hall? Plaintiff tried to explain that his card was missing and that the Plaintiff and kitchen clerk Mr. Perry spoke with food service staff Mr. Davis concerning this issue and Plaintiff told Harrison that there was nothing in the misconduct report stating that Plaintiff failed to punch out, which ~~was~~ is important because without this accusation, the misconduct for "out of place" had no foundation and Harrison would have

dismiss the misconduct report that was written in haste and in retaliation to Plaintiff's protected conduct. Lastly, Kammer had Plaintiff punch card the whole time and provided a copy to Harrison to allege that Plaintiff failed to punch out.

37. Harrison then made several phone calls to Smolinski to defendant WALCZAK, officer Kammer and Food Service Staff Delnay. He asked Delnay if prisoner kitchen workers are allowed to stay in there assigned area during count time? Then he asked Delnay if prisoners have to ~~work~~ clock out before leaving and if Food Service Staff was allowing prisoners to leave without punching out, then he called Kammer and asked if Plaintiff was guilty, and Smolinski if I was an -- hole.

38. After this minor investigation, Harrison hung up the phone and told Plaintiff, "I am finding you guilty for failure to punch out before leaving the chow hall kitchen area."

39. Plaintiff tried to explain that he wasn't written a misconduct for failing to "punch out" and that he and prisoner clerk Perry went to Food Service Staff Davis with this issue.

40. Harrison said "I'm giving you 7 days loss of privileges and prisoners like you should go to food service staff, (not prisoner kitchen clerk) if you have an issue with the clock

And write a grievance on Food Service Supervisors.

41. Lt. Harrison then placed an X on a section of the hearing report and told Plaintiff to "sign here for a copy". Plaintiff ~~was~~ he was tricked into signing the portion of the report that said "Plaintiff waived his right to a hearing and appeal of this misconduct report." see EXHIBIT E

42. As

~~Lt.~~ Harrison also found all black prisoners guilty that day and all white prisoners "not guilty."

42. HARRISON has a custom of doing this so prisoners would not have their misconduct reports overturned at the level of Deputy Warden, and to secure terminations from a job, fair hearings appeals and controlling the amount of appeals the Deputy Warden has to hear or Smolinski has to review.

43. Officer Kammer wrote several misconduct reports on black prisoners that day and Lt. Harrison did the same to these prisoners even though they were not written the same misconduct reports. Kammer lied in the ~~reports~~ grievance Plaintiff wrote on him.

44. On approx. 12, 2009, Plaintiff was reviewed by the Classification Director Smolinski, Plaintiff told her that he appealed the final decision of the misconduct and she agreed to withhold the reclassification process until Plaintiff's appeal was complete.

45. On approx. 12-6-19, Deputy Warden Waleczak refused to review plaintiff's defense on the misconduct written by Officer Kammer's alleging that Plaintiff signed a portion of Lt. Harrison's hearing stating that Plaintiff waived his hearing and appeal. And that Harrison wrote that Plaintiff plead guilty.

46. On 12-12-19, Plaintiff was reviewed by Smolinski, placed on "Double O status" and said Plaintiff could not get another job for the next 6 months and to re-evaluate her after this time period is up. to be placed in a job pool.

47. Smolinski also had Plaintiff sign an assignment waiver form that had all of the information filled out already by her. This form had falsified information alleging that Plaintiff had a history of disruptive behavior on work assignment that would foundate placing plaintiff on "Double O status", for 6 months!

48. On the same date plaintiff received a "Prisoner Program and work assignment 363 evaluation" form. This form was prepared by Officer Kammer's with falsified information and a forged name sent to me by Smolinski.

49. The Supervisor's signature (Ms. Baldwin) was falsified and forged as well as the rest of this document on 11-21-19, the same day Kammer wrote the falsified misconduct report on Plaintiff.

Kammer requested termination pending the outcome of the hearings and appeal process, but he filed this form to Smolinski before Plaintiff was not even ^{reviewed} ~~mentioned~~ on the misconduct yet.

50. Kammer forged on the form that Food Service will not take Plaintiff back to work, Kammer also forged falsified information that Plaintiff was assigned to "Pots and Pans" on 10-25-19, when Plaintiff was promoted to "Pots and Pans" on 11-14-19, for good behavior and conduct on Food Service work report evaluation by Ms. Little and Supervisor Baldwin giving Plaintiff an above average score of 35.

51. On the work/school assignment performance section, Kammer falsified sections 1-13, giving Plaintiff a below average performance score of 12 points, which is a disastrous work report, which is grounds for termination from a job, 6 months denial of a job by Smolinski, loss of privileges and he forged signatures on this form.

52. Officer Kammerer falsified and contradicted his report. He has only worked for 2 days since Plaintiff has worked for food service and could not properly prepare this evaluation without falsifying information and forging names to ensure that Plaintiff would not only be fired, but be placed on "Double O status" and not be allowed another job for 6 months without waiting to see the outcome of the misconduct hearing and appeal in retaliation to Plaintiff's right to a fair hearing, appeal and grievance. He acted as if he had foreknowledge that Plaintiff would most definitely be found guilty.

52. ~~A~~ 53. ~~On 12-20-19, Plaintiff received a 363 work evaluation form from Food Service staff Ms. Little and Baldwin, giving Plaintiff a score of 35 points, which is an above average score.~~

53. On 12-19-19, Plaintiff was going through food lines in the kitchen and spoke to food service supervisor MS. Baldwin. Plaintiff asked MS. Baldwin how did he receive a below average score, refusal to take Plaintiff back and termination, when he showed up everyday on time, never stole from the kitchen, helped others with their jobs and followed all orders from staff?

54. Ms. Baldwin stated (After ~~Plaintiff~~ ^{Plaintiff} showed her officer Kammer's falsified work report) that she did not sign this work report written by officer Kammer, that the document was falsified and forged, containing false information and that she is going to prepare a proper/correct work report processed by food service staff from 10-25-19 to 11-21-19 and that she wanted plaintiff to have Smolinski call her to discuss plaintiff's return to food service, and that they will take plaintiff back.

55. On 12-20-19, plaintiff received a 363 work evaluation from food service staff Ms. Little and Baldwin, giving plaintiff a score of 35 points which is above average score. Please see section 8 where it states "prisoner did the assigned share of work assignment, remained in his assigned area until the end of his shift". In contrast to the misconduct report and work evaluation 363 form written by officer Kammer's # 26 and # 48 of this complaint which was amended again on 1-30-20 by food service supervisor Ms. Baldwin, giving plaintiff an above average score of 37 points!

~~56.~~ 56. Smolinski's forgery and placement of false information on the ~~work~~ assignment

Warden & Smolinski's work evaluation form supported Kammer's attempt to not only fire plaintiff, but also mislead all staff involved to think that the below average 363 work evaluation form, with a below average score, was foundation enough to fire Plaintiff, place him in his cell 23 hours a day for 6 months and deny plaintiff a job, his only source of income. YARD, phone, gym, bible study, law library, day room, fund raiser after reclassification.

but refused to do so violating prison policy. After plaintiff grieved her and Kammer for conspiracy, forgery and falsification of documents, she used 57. Plaintiff sent an Affidavit of Complaint to Warden MacAuley on 1-1-20, asserting that his subordinates have a custom/policy of falsifying documents, conspiring with each other to violate plaintiff's rights, forging information and names and retaliating against black prisoners who write grievances on them. Warden never responded or make any attempt to stop this practice or custom by Smolinski, Harrison or Kammer's.

double O status as another sanction.

EXHAUSTION of legal Remedies

see exhibit FC^(6X) and FX. FZ 58. Plaintiff used the IBC grievance procedure available at ~~Fonta~~ Bellamy Creek Correctional facility to try and resolve these issues. Plaintiff presented all facts relating to his complaint.

and appealed all denials to all 3 steps, except those that were upstructured (lost or destroyed) by defendants from 11-20-19 to today's date.

Legal Claims

Plaintiff re-allege and incorporate by reference paragraphs 1-57, where there was no penological justification for the defendant's arbitrary and capricious actions.

Claim one violation of U.S. Constitution #

A. On 11-20-19 After Kammer's racially discriminated and harassed Plaintiff, Plaintiff threatened to write a grievance on officer Kammer's. Officer Kammer responded by falsifying a class 2 misconduct report and a 363 work evaluation form, and also forged signatures in retaliation to Plaintiff's protected conduct in violation of Plaintiff's 1st, 5th, 8th and 14th amendments to the United States Constitution.

Claim two violation of U.S. Constitution #

B. On 11-26-19, Harrison falsified the misconduct hearing procedure, forged the hearing report stating that Plaintiff "plead guilty" when he did not and tricked Plaintiff into signing the report of the hearing report alleging that Plaintiff "waived his right to a hearing and appeal of Kammer's misconduct report."

and was an unlawful disciplinary procedure and substantial Due Process claim, when Harrison conducted a whole hearing on Kammer's misconduct report in violation of the 1st, 5th, 8th and 14th Amendment to the United States Constitution.

claim 3 Violation of U.S. Constitution #

claim 3 Smolinski falsified the (CSJ-126) assignment waiver form and forged information in the form (that ~~plaintiff~~ plaintiff had a history of disruptive behavior on assignment) in order to place plaintiff on (double O status) after filling out sections of the form which the prisoner is supposed to fill out. Her custom of forging documents and conspiring with other officers/MDOC staff to violate plaintiff's rights by forging plaintiff's name and info on the form violated plaintiff's 1st, 5th, 8th and 14th rights to the United States Constitution.

claim 3 Smolinski
Also retaliated against plaintiff
after plaintiff filed a grievance against her
by refusing to reclassify plaintiff per policy after 30 days, using double O status

claim 4 violation of U.S. Constitution #

claim 4 D. Walczak refused to investigate plaintiff's allegations against Kammer, Harrison and Smolinski in the hearing process when plaintiff attempted to appeal the falsified misconduct and hearing. Walczak alleged that plaintiff waived his right to a hearing and appeal as his reason for failing to investigate

AS A sanction which is also double jeopardy.
violation of

both HARRIS, KAMMER and Smolinski in violation of Plaintiffs 1st, 5th, 8th and 14th Amendments to the U.S. Constitution and Due Process.

~~Claim~~ Claim 5 violation of U.S. Constitution Amendment [#]E, KAMMER, HARRISON, Smolinski and WALEZAK conspired with each other in concert to violate Plaintiffs rights to be free of retaliation, racial discrimination, falsification of documents, forgery, Due Process and an unlawful disciplinary procedure. Plaintiff relied upon a job to place funds in his account to purchase food, clothes, hygiene, avoid falsified misconduct reports, keep security points down, were losses that resulted directly from the above mentioned staffs reliance on forgery and falsified documents in violation of Plaintiffs 1st, 5th, 8th and 14th Amendments to the U.S. Constitution.

Claim 6 violation of U.S. Constitution Amendment [#]F, Warden MACAULEY received an Affidavit of formal Complaint from Plaintiff informing him of his subordinates conspiracy to violate Plaintiffs rights, by forgery of documents, falsifying documents violating Plaintiffs rights under the 1st, 5th, 8th and 14th Amendments to the U.S. Constitution and Warden failed to intervene or investigate their actions.

The Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and Injunctive relief which Plaintiff seeks.

Prayer of Relief

Wherefore Plaintiff respectfully prays that this Court enters Judgment granting Plaintiffs;

Declaration that the acts and omissions described herein violated Plaintiffs rights under the Constitution and laws of the United States.

A preliminary Injunction ordering defendant Kammers to stop harassing Black prisoners, and to stop retaliating against prisoners who engage in protected conduct (grievances) and to stop conspiring with defendant HARMISON and Smolinski when acting in hearing procedure, in the misconduct process and classification process to secure guilty findings and stop forging documents and placing falsified information in them.

Order defendant HARRISON to stop forging documents with falsified misleading information in connection with the hearing process and to stop conspiring with defendant WALCZAK, KAMMERS and Smolinski to violate prisoners rights.

Order defendant WALCZAK to stop conspiring with HARRISON, KAMMERS and Smolinski to secure unconstitutional and unfair misconduct hearings, classification.

Order defendant Smolinski to stop forging documents (assignment waiver forms) in connection with the classification process and stop conspiring with the above mentioned prison staff to mislead and place prisoners on 6 month "double O status" and denial of a job, retaliation and double jeopardy

Order defendant MACAULEY to stop allowing his subordinates from violating prisoners rights by forging documents with false information and conspiring with each other mentioned in this complaint to secure guilty findings in the hearing process, ~~and~~ retaliation and double jeopardy.

Compensatory damages in the amount of ¹⁰10,000 Against defendants jointly and severally for each violation of the United States Constitution

racial discrimination, harassment, retaliation, forgery of documents with falsified information and conspiracy to violate Plaintiff's rights, double jeopardy expungement of the misconduct written by Kammers from Plaintiff's file.

\$100.00 a day for every day plaintiff was (laid in) fired from his job, placed on "double O status", \$32.5 per hour for back wages up onto the day this issue is resolved starting from 11-21-19, and counting, \$200 each day for days on L.O.P. sanctions \$100.00

Punitive damages in the amount of \$5,000.00 against each defendant for violation of Plaintiff's rights and MOUC policy and procedure AND LAW.

A Jury trial on all issues triable by a Jury plaintiff's cost of suit,

any additional relief that this court deems just, proper and equitable.

Jason Faler
 Santa Belkamy Creek
 Corr. Facility
 1227 W. Bluewater Hwy
 Santa, MI 48846

Verification

I have read the foregoing ~~and~~ Verified
complaint and hereby verify that ~~the~~
matters alleged are information and belief
and, as to these, I believe them to be true.
I certify under penalty of perjury
that the foregoing is true and correct.

Executed at Tonla, Michigan on
2-29-20

Jason Sanders

JASON SANDERS 308408
Ionia Bellamy Creek Facility
1727 W. Bluewater Hwy
Ionia, MI 48846



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